

Last Will & Testament

THIS IS THE LAST WILL AND TESTAMENT OF:

Name

Date

1. REVOCATION

I REVOKE all my previous Wills and testamentary dispositions.

2. DECLARATION OF FAITH

I bear witness that there is nothing worthy of worship but Allah, the One, the Merciful, Almighty God, Creator of the Heavens and the Earth and all therein, God of Abraham, Moses, Jesus, Muhammed and all the Prophets, mercy and peace be upon them. He is the One God and He has no partner. And I bear witness that the Prophet Muhammed is His servant and His Messenger and the last of all the Prophets, mercy and peace be upon them all. I bear witness that Paradise is true, and Hell is true. And I bear witness that the coming of the Day of Judgement is true, there is no doubt about it, and that Allah, Who is exalted above all deficiency and imperfection, will surely resurrect the dead of all the generations of mankind; first and last and those in between.

This is my counsel to my relatives and friends, my Muslim brothers and sisters, and all those who remain after me: that they strive to be true Muslims and that they submit to their Creator, may He be exalted, and worship Him as He alone is to be worshipped, fear Him and love Him and His Prophet Muhammed (peace be upon him) with a complete love that is rivalled by nothing besides them. Let them obey Him and hold fast to His Shari'ah. Let them spread and firmly establish His religion of Islam, and let them die only in a state of complete submission to His will.

I remind them that no man and no woman dies before their time. The exact duration of each life span is precisely determined before we are born, by the All-Powerful Creator, may He be exalted. Death is tragic only for the one who lived out their life in self-deception without submitting to the Creator and preparing for the final return to Him. So, do not preoccupy yourselves with my death, but instead make the proper preparations for your own. Maintain patience and self-composure, as the religion of Islam requires. Islam permits male and female relatives to mourn for up to three days. However a widow is required to observe

mourning for the duration of her iddah (period of waiting). Wailing and excessive lamentation is forbidden by the Creator, may He be exalted.

Finally, I ask all my relatives, friends and all others, whether they choose to believe as I believed or not to honour my beliefs: I ask them to honour my instructions and wishes in this document and not to seek to alter or obstruct it in any way. Rather, let them see that I am buried as I have asked to be buried, and let my assets be divided as I have instructed them to be divided.

3. FUNERAL WISHES

I direct my Executors, surviving relatives and friends to ensure that I have a funeral strictly in accordance with Islamic law, which must include *ghusl* (washing), *janazah* (funeral prayer) and *dafn* (burial). In particular I do not wish for an autopsy to be performed on my body, and request that my body be released for burial immediately upon death or as soon as is practical. In the event that an autopsy becomes a legal requirement, I would wish that this is met through an MRI scan if my Trustees deem it appropriate. I would also like to be buried in the Muslim Cemetery closest to the place of my death. I am aware that this is a serious obligation and would request that you use your best endeavours to reach agreement over the fundamental matters mentioned and compromise on others if you differ in opinion.

4. GUARDIANSHIP

I APPOINT my {relation}

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.....

of

.....
.....

to be the Guardian of any of my children who are under the age of eighteen at the time of my death but if {he/she} is unable or unwilling to act for any reason then I appoint

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of

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.....

to be the Guardian.

5. APPOINTMENT OF EXECUTORS/TRUSTEES

I APPOINT

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of

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.....

and

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of

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.....
to be the Executors and Trustees of this Will.

IN this Will and any Codicil to it, the expression “my Trustees” means the Executors and Trustees of this Will for the time being, or (where the context requires) my personal representatives for the time being.

6. RESIDUARY ESTATE

6.1 I GIVE all the residue of my estate (out of which shall be paid my funeral expenses and my debts - see clause 6.2 for debts) and any property over which I have at my death any general power of appointment to my Trustees ON TRUST to sell, call in and convert into money such parts as do not consist of money but with full power to postpone doing so for as long as they see fit without being liable for loss (and such estate and property which currently represents it is referred to in my Will as “the Trust Fund”).

6.2 Debts

[Write “None” if you have no debts]

I request my trustees to pay off the following debts from my estate:

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.....
.....

7. TRUSTS OF RESIDUE

7.1 SUBJECT to clause 7.2 below (“my Wasiyyah”) MY TRUSTEES shall hold the remainder of the Trust Fund ON TRUST absolutely to be distributed and where relevant invested in accordance with Shari’ah (Islamic Law), the interpretation and application of which my Trustees in their absolute discretion shall determine provided that such distribution does not breach English Law in which case my Trustees shall apply such modifications as are necessary to comply with English Law.

7.2 Bequests

[Here you can add bequests, for example you can bequeath a donation to charity, or you can bequeath something to someone who is not entitled to a share by Islamic Law - Wiraatha, so long as the total of all the bequests do not exceed one third of your total estate.) You can delete things as

appropriate, or delete all the text and write "None" if you are not making any bequests.]

* I wish to bequeath to

* I wish to bequeath to

* I wish to bequeath to

* I request my trustees to donate to

[insert name of charity and registered charity number]

.....
.....

the amount of absolutely for its general purposes and I direct that the receipt of the Treasurer or other duly authorised officer shall be a sufficient discharge to my Executors. The foregoing bequests shall be taken from my Trust of Residue, such that its total does not exceed one third of said remainder of the value of my total estate. Otherwise, each of the foregoing contributions shall be proportionally reduced to make the total within the "one-third limit".

8. STANDARD PROVISIONS

8.1 THE Standard Provisions and all the Special Provisions of the Society of Trust and Estate Practitioners (2nd Edition) shall apply.

8.2 THIS WILL shall be construed as if s33 of the Wills Act 1837 had not been enacted.

8.3 MY TRUSTEES are requested to have regard to generally accepted Islamic principles of investment and shall not be liable for the consequences of following such principles, nor for any loss to the Trust Fund that may result from investing, or keeping the Trust Fund or any part of it invested, in Islamic investments rather than non-Islamic investments.

8.4 MY TRUSTEES shall not be obliged to insure any part of the Trust Fund and shall not be liable for the consequences of not insuring any part of the Trust Fund.

SIGNED by me on the: (DD/MM/YYYY)
[sign here]

.....

SIGNED by the said *[insert your full name in CAPITALS]*

in our presence and then by us in 'his/her' presence

Signature of First witness

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Name

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Address

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Occupation

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Signature of Second witness

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Name

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Address

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Occupation

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LIST OF MAJOR ASSETS OF

Insert your name and address

Please include:

- Properties (include full postal address)
- Bank Accounts (include name of holder, name of bank, sort code, account number)
- Shares (include name of companies and number of shares owned)
- ISAs / Pensions etc (include policy numbers and provider name)
- Jewellery / Diamonds / Watches etc (include details of where these are stored)
- Any other valuable assets not mentioned above (please use additional sheets if required)

ASSET 1:

ASSET 2:

ASSET 3:

ASSET 4:

ASSET 5:

ASSET 6:

Note to Executors / Guardians:

When required, please visit the following weblink for details on how to obtain probate, death certificate, etc.:

<http://www.direct.gov.uk/en/Governmentcitizensandrights/Death/index.htm>